

UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|--|--|---|---|
| APPLICATION NUMBER 09/015078 | FILING RECEIPT DATE 01/29/1998 | FIRST NAMES APPLICANT SUERBAUM, SEBASTIAN | ATTORNEY DOCKET NUMBER 2356-0073-01 |
|--|--|---|---|

FINNEGAN HENDERSON FARABOW
GARRETT AND DUNNER
1300 I STREET N W
WASHINGTON DC 20005-3315

RECEIVED

MAY 27 2004 Art Unit
1647

Examiner
TURNER, SHARON

Paper Number

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, LLP

Date Mailed: 05-25-04

Notice Regarding Drawings

Corrected drawings for the above-identified application, received in the USPTO on 1-29-98 are still not acceptable for the reason(s) identified on the attached PTO-948. Applicant is given one opportunity to correct the informalities within a two-month time period from the mailing date of this Notice. **THIS TIME PERIOD IS NOT EXTENDABLE UNDER EITHER 37 CFR 1.136(a) OR 1.136(b).** Failure to take corrective action within the set period will result in abandonment of the application.

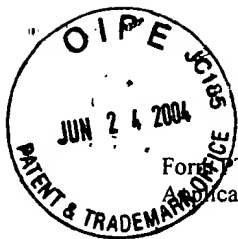
ATTACHMENT: PTO-948 Notice of Draftsperson's Patent Review

RETURN CORRECTED DRAWINGS TO:

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
Joshua D. Chase
Joshua D. Chase
Office of Patent Publication,
Publishing Division
703-305-8404

Docketed 5-27-04 Attorney KJM-WBX
Case 02356.0073-01
Due Date 7-25-04 w/CAUTION
Action Corr Drawings Due
By WNO

⑩
5/27/04



Form PTO-948 (Rev. 06/03)

Application No. 9/015,078U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office**NOTICE OF DRAFTSPERSON'S PATENT DRAWING REVIEW**The drawing(s) filed (insert date) 1-29-98 are:

- A. ☐ approved by the Draftsperson under 37 CFR 1.84 or 1.152.
B. ☒ objected to by the Draftsperson under 37 CFR 1.84 or 1.152 for the reasons indicated below. Corrected drawings are required.

1. DRAWINGS. 37 CFR 1.84(a): Acceptable categories of drawings: Black ink or Color (3 sets required).

☐ Color drawings are not acceptable until petition is granted. Fig(s) _____
☐ Pencil and non black ink not permitted. Fig(s) _____

2. PHOTOGRAPHS. 37 CFR 1.84(b)
☐ One (1) full-tone set is required. Fig(s) _____
☐ Photographs may not be mounted. 37 CFR 1.84(e)
☐ Photographs must meet paper size requirements of 37 CFR 1.84(f). Fig(s) _____
☐ Poor quality (half-tone). Fig(s) _____

3. TYPE OF PAPER. 37 CFR 1.84(e)
☐ Paper not flexible, strong, white, and durable. Fig(s) _____
☐ Erasures, alterations, overwritings, interlineations, folds, copy machine marks not accepted. Fig(s) _____

4. SIZE OF PAPER. 37 CFR 1.84(f): Acceptable sizes:
21.0 cm by 29.7 cm (DIN size A4) or
21.6 cm by 27.9 cm (8 1/2 x 11 inches)
☐ All drawing sheets not the same size. Sheet(s) _____
☐ Drawings sheets not an acceptable size. Fig(s) _____

5. MARGINS. 37 CFR 1.84(g): Acceptable margins:
Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm
☐ Margins not acceptable. Fig(s) _____
☐ Top (T) ☐ Left (L)
☐ Right (R) ☐ Bottom (B)

6. VIEWS. 37 CFR 1.84(h)
REMINDER: Specification may require revision to correspond to drawing changes, e.g., if Fig. 1 is changed to Fig. 1A, Fig. 1B and Fig. 1C, etc., the specification, at the Brief Description of the Drawings, must likewise be changed.

☐ Views not labeled separately or properly. Fig(s) _____

7. SECTIONAL VIEWS. 37 CFR 1.84(h)(3)
☐ Sectional designation should be noted with Arabic or Roman numbers. Fig(s) _____

8. ARRANGEMENT OF VIEWS. 37 CFR 1.84(i)
☐ Words do not appear on a horizontal, left-to-right fashion when page is either upright or turned so that the top becomes the right side, except for graphs. Fig(s) _____

9. SCALE. 37 CFR 1.84(k)
☐ Scale not large enough to show mechanism without crowding when drawing is reduced in size to two-thirds in reproduction. Fig(s) _____

10. CHARACTER OF LINES, NUMBERS, & LETTERS. 37 CFR 1.84(l)
☒ Lines, numbers & letters not uniformly thick and well defined, clean, durable, and black (poor line quality). Fig(s) 1A-1B, 4, 5, 7-13B

11. SHADING. 37 CFR 1.84(m)
☐ Solid black areas pale. Fig(s) _____
☐ Solid black shading not permitted. Fig(s) _____

12. NUMBERS, LETTERS, & REFERENCE CHARACTERS. 37 CFR 1.84(p)
☒ Numbers and reference characters not plain and legible. Fig(s) 1A-1B-3B-5, 7-13B
☒ Figure legends are poor. Fig(s) 1A-13B
☐ Numbers and reference characters not oriented in the same direction as the view. 37 CFR 1.84(p)(1) Fig(s) _____

☐ English alphabet not used. 37 CFR 1.84(p)(2) Fig(s) _____
☐ Numbers, letters and reference characters must be at least 32 cm (1/8 inch) in height. 37 CFR 1.84(p)(3). Fig(s) _____

13. LEAD LINES. 37 CFR 1.84(q)
☐ Lead lines missing. Fig(s) _____

14. NUMBERING OF SHEETS OF DRAWINGS. 37 CFR 1.84(t)

☐ Sheets not numbered consecutively, and in Arabic numbers beginning with number 1. Sheet(s) _____

15. NUMBERING OF VIEWS. 37 CFR 1.84(u)
☐ Views not numbered consecutively, and in Arabic numerals, beginning with number 1. Fig(s) _____

16. DESIGN DRAWINGS. 37 CFR 1.152
☐ Surface shading shown not appropriate. Fig(s) _____
☐ Solid black surface shading is not permitted except when used to represent the color black as well as color contrast. Fig(s) _____

COMMENTS:Reviewer J. CHASE

If you have questions, call (703) 305-8404.

Date 5-25-04

Attachment to Paper No. _____



PATENT
Customer No. 22,852
Attorney Docket No. 2356.0073-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Sebastian SUERBAUM et al.) Group Art Unit: 1647
)
Application No.: 09/015,078) Examiner: S. TURNER
)
Filed: January 29, 1998)
CPA Filed: July 27, 2001)
)
For: CLONING AND CHARACTERIZATION)
OF THE *flbA* GENE OF *H. PYLORI*,)
PRODUCTION OF AFLAGELLATE)
STRAINS)

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

SUBMISSION OF FORMAL DRAWINGS

Pursuant to the Notice Regarding Drawings mailed May 25, 2004, please replace the informal drawings with the 22 sheets of formal drawings filed herewith (Figures 1A-13B). If the formal drawings are not in full compliance with the pertinent statutes and regulations, please so advise the undersigned.

If any fees are necessary for the submission of these formal drawings, please charge our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: June 23, 2004

By: 

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